

Reducing Minors' Access to Tobacco in Hawaii: Assessment and Intervention

REPORT ON ANNUAL COMPLIANCE INSPECTIONS AND LAW ENFORCEMENT OPERATIONS 2003-2004



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2003-2004

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REDUCING MINORS' ACCESS TO TOBACCO IN HAWAII REPORT ON ANNUAL COMPLIANCE INSPECTIONS AND LAW ENFORCEMENT OPERATIONS 2003-2004

Executive Summary

This report describes the methodology and findings of the statewide annual compliance inspections (inspections) and law enforcement operations (stings) performed during 2003-2004 for the *Kruisin' Against Tobacco Sales* (KATS) project on reducing minors' access to tobacco in Hawaii. The project was conducted by the Prevention and Control Program of the Cancer Research Center of Hawaii (CRCH) of the University of Hawaii, for the Alcohol and Drug Abuse Division (ADAD) of the Hawaii State Department of Health.

The annual compliance inspections are conducted to determine the statewide rate of noncompliance with laws prohibiting the sale of tobacco to minors. During March and April 2004, a statewide sample of 211 randomly selected outlets that sell tobacco products was surveyed to determine their compliance with the State law prohibiting the sale of tobacco products to minors. Teenage volunteers between 15 and 17 years of age served as "inspectors" by attempting to purchase cigarettes at each location. Identification cards were not used. Immediately after exiting the store, the minor completed a data collection form with the help of an accompanying adult. The data collected from these inspections was used to calculate the State's noncompliance rate.

From April 2003 to March 2004, law enforcement operations were conducted in partnership with the police departments on the islands of Oahu, Maui, Hawaii and Kauai. In these "sting" operations, minors were instructed to present valid picture identification upon request during each attempt. Immediately after exiting the store, the minor completed a data collection form with the help of an accompanying adult. A total of 1136 checks were performed. In addition to enforcing the State law, data are also collected from these stings for statistical purposes.

Highlights of the findings are as follows:

1. The noncompliance rate from the annual compliance inspections was 5.2% ($\pm 3\%$ margin of error), not significantly different from the preceding year, when it was 6.2%.
2. Significant factors associated with noncompliance in inspections/stings were as follows:
 - a. Annual compliance inspections: type of outlet, clerk's request for minor's ID, clerk's request for age or ID, gender of minor, and age of youth.
 - b. Law enforcement operations: type of outlet, clerk's request for minor's ID, clerk's request for age, and clerk's request for age or ID.
3. The law enforcement operations resulted in 180 sales out of 1136 compliance checks, a 15.9% violation rate.

The noncompliance rate found during the 2004 annual compliance inspections is an all-time low (5.2%), however the decrease is not statistically significant from the previous year. The rate of sales remains low, when studied in a survey without the use of IDs. Noncompliance with the law is a persistent problem in enforcement operations where youth submit an ID if requested. This is evident by the violation rate (15.9%). There is inconsistency between retailers' request for picture identification from customers and the decision about whether or not to sell tobacco products to customers. Continued monitoring, law enforcement, and merchant education activities are warranted.

REDUCING MINORS' ACCESS TO TOBACCO IN HAWAII

REPORT ON ANNUAL COMPLIANCE INSPECTIONS AND LAW ENFORCEMENT OPERATIONS

2003-2004

Part I. Introduction and Overview

This report describes the methodology and findings of the statewide annual compliance inspections (inspections) and law enforcement operations (stings) performed during 2003-2004 for the *Kruisin' Against Tobacco Sales* (KATS) project on reducing minors' access to tobacco in Hawaii. The project was conducted by the Prevention and Control Program of the Cancer Research Center of Hawaii (CRCH) of the University of Hawaii, for the Alcohol and Drug Abuse Division (ADAD) of the Hawaii State Department of Health.

The inspections are conducted to determine the statewide rate of noncompliance with laws prohibiting the sale of tobacco to minors. During March and April 2004, a statewide sample of 211 randomly selected outlets that sell tobacco products was surveyed to determine their compliance with the State law prohibiting the sale of tobacco products to minors. Volunteers between 15 and 17 years of age served as "inspectors" by attempting to purchase cigarettes at each location. Identification cards were not used. Immediately after exiting the store, the minor completed a data collection form with the help of an accompanying adult.

Enforcement of the State law is conducted year-round. From April 2003 to March 2004, law enforcement operations were conducted in partnership with the police departments on the islands of Oahu, Maui, Hawaii and Kauai. In these "sting" operations, minors between 15 and 17 years of age were instructed to present valid picture identification upon request during each attempt. Immediately after exiting the store, the minor completed a data collection form with the help of an accompanying adult. In total, 1136 retail visits were conducted. In addition to enforcing the law, data are also collected from these stings for statistical purposes. Figure 1 provides details about the time line for the inspections and law enforcement activities.

FIGURE 1. TIME LINE FOR ANNUAL COMPLIANCE INSPECTIONS AND STINGS

	2003									2004			
	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.
Inspections													
All islands													
Stings													
Oahu													
Maui													
Hawaii													
Kauai													

Note: Shaded areas indicate that an inspection or sting was conducted during that month.

Part II. 2004 Annual Compliance Inspections

Methods

Sampling

The State of Hawaii does not require licensure to sell tobacco products; therefore, there is no complete statewide listing of tobacco product retailers. For the inspections, a retail outlet list was obtained from the CRCH database. The database was originally devised from the R.L. Polk Business Directory, a national business and residential directory developed for individual cities and counties. Information in the Directory includes business addresses arranged by Standard Industrial Classification codes and zip codes. An outlet list sent to CRCH by the Food and Drug Administration for the Tobacco Compliance Check Program was also used. Both lists were scrutinized for businesses that did not sell tobacco products, were out of business, or had unsatisfactory conditions that precluded sending a minor into, e.g., bars and clubs. The combination of the two lists was entered into an Access database.

This database has been continuously updated over the course of the project. New businesses that sell tobacco products have been added, while those that have gone out of business or no longer sell tobacco products have been removed. This list does not guarantee identification of all tobacco outlets; however, it is the best available source at the present time.

To ensure good geographic distribution, outlets in the database were sorted by county, zip code, city, street name, and then street number. The method used to select the sample was a stratified systematic random sample. The target sample size of 198 was determined based on a sampling frame of 984, a precision level of $\pm 3\%$, and an estimated 6.2% noncompliance rate (as determined by the noncompliance rate of the previous year). A 20% over-sample requirement was established to accommodate outlets that were not open during the inspections, no longer sold tobacco products, or had recently gone out of business, so original sample size of 238 was selected. The final sample size of retail outlets actually inspected was 211.

Inspection Procedures

Recruitment of Minors and Adults: Minors and adult staff were recruited and trained prior to inspections. The primary sources of minors were community service organizations with members from public and private high schools, including the Honolulu Police Department's Explorer's Club and Key Clubs. Adult staff/drivers were all CRCH staff.

Training Methods and Materials: A one-hour training program was conducted for all participating minors and adults. The training included:

1. An overview of the purpose of the noncompliance monitoring program
2. A review and description of the Hawaii State law prohibiting tobacco sales to minors
3. Role-playing of tobacco-buying transactions
4. A review and description of the data collection form (see **Appendix A**) and procedures
5. A review and description of the consent forms (see **Appendix B**)
6. A review and description of the need to avoid misrepresentation of age, maintain confidentiality and observe safety procedures

Inspection Process: Teams of one or two minors and an adult staff member carried out inspections. Each team was assigned a particular geographic area to survey and was provided with a team packet. The packet contained the following:

1. A list of the outlets to be inspected
2. A map of the area to be inspected
3. A data collection form for each outlet
4. A warning sign with the proper wording as required by State law
5. Petty cash for purchases of tobacco and snacks
6. A cash expenditure form
7. Mileage claim forms

The minors handed over their identification to the adult staff prior to the start of the inspections. If asked for identification they were instructed to tell the truth by saying, “I do not have it on me or I left it in the car.” They were also told to give their true age if requested. The adult drove the minor(s) to each outlet and waited either in the car or outside the outlet while the minor attempted to purchase cigarettes. Depending on the location of tobacco products in the store, the minor either asked a clerk for a pack of cigarettes or selected a pack of cigarettes from a self-service display and took it to the counter. In some cases, the minor also purchased a pack of gum, soft drink, or other snack. After each attempt, the minor exited the store and completed the data collection form. The adult recorded any expenditures made and, if the attempt was successful, immediately took possession of the cigarettes. At the end of the inspections, all tobacco products, packets, and unspent cash were returned to project staff.

Data Analysis

As stated in the “Sampling” section above, we over-sampled by 20% to account for non-viable outlets, which included stores that did not sell tobacco, were closed at the time of inspection, or were no longer in business. With the over-sampling, the number of inspected outlets was slightly larger than the targeted number of stores for each island. The following table, **Table 1**, lists the number of outlets targeted, sampled, and inspected for each county.

TABLE 1. 2004 ANNUAL COMPLIANCE INSPECTION: NUMBER OF OUTLETS TARGETED, SAMPLED, AND INSPECTED BY COUNTY

COUNTY	NUMBER OF OUTLETS TARGETED	NUMBER OF OUTLETS SAMPLED (+20%)	NUMBER OF OUTLETS INSPECTED
Honolulu	135	162	143
Maui	28	33	28
Hawaii	26	31	29
Kauai	10	12	11
TOTAL	198	238	211

Note: Numbers do not reflect exact results of calculations due to rounding.

Analysis of Variables Associated with Tobacco Sales: To identify factors associated with higher levels of tobacco product sales to minors, the association between cigarette purchases and a number of variables was examined using a chi square test for independence. The variables examined included:

- Type of the outlet
- Location of tobacco (over-the-counter or self-serve)
- Whether the minor's age was asked
- Whether the minor's identification was requested
- Posting of warning signs
- Display of promotional material
- Age of clerk
- Gender of clerk
- Age of minor
- Gender of minor

The associations found are detailed in the following section.

Results

Characteristics of Outlets and Clerks

A total of 211 outlets were visited during the annual compliance inspections. Most of the outlets were convenience stores, sundry shops or newsstands (42.2%), followed by grocery stores, food stores, restaurants and liquor stores (28.9%). Gas stations and gas/convenience stores made up 20.4% of the outlets, while general merchandise, drug, pharmacy, and novelty shops made up 7.1% of the outlets. The majority of the stores (67.8%) were located on Oahu, and 32.2% were located on the Neighbor Islands (13.7% on Maui, 13.3% on Hawaii, and 5.2% on Kauai) (see **Table 2**). Clerks were 75.8% female and 24.2% male. The majority of clerks (54.5%) were estimated to be in the 31 to 55 year age range, followed by 18 to 30 (27.0%), and over 55 (18.5%) (see **Table 3**).

Characteristics of Minors

A total of 16 minors participated in the inspections. Of the total, 4 (25.0%) were male and 12 (75.0%) were female. The minors were mainly of Asian-American and Pacific Islander ethnic background and ranged in age from 15 to 17 years. Females completed 80.1% of the total inspections to 19.9% completed by males. 16 year old minors

completed most of the inspections (68.7%), followed by 17 year olds (25.1%) and 15 year olds (6.2%) (see **Appendix C**).

Signage, Promotional Materials, and Location of Tobacco Products

Table 4 summarizes the findings on the posting of warning signs, display of promotional materials, and availability of self-service tobacco products. The majority of the stores (80.1%) had a warning sign posted. Of those stores, only 46.8% had a sign with the correct wording as required by law. Tobacco advertisements were displayed in 69.2% of the stores, while tobacco products were kept behind the counter in all of the stores inspected (100.0%).

Results of Attempted Purchases

Minors were successful in purchasing cigarettes in 11 outlets, or 5.2% of total attempts. Clerks requested identification in 89.6% of the outlets and asked the age of the minor in 9.1% of the outlets. 94.8% of the minors were asked for either their identification or their age (see **Table 5**).

Factors Associated with Purchase of Tobacco Products

Table 6 presents the results of the analyses for the inspections. Five factors were found to have statistically significant relationships with successful cigarette purchase. These included: type of outlet, clerk's request for minor's ID, clerk's request for age or ID, gender of minor, and age of youth. For type of outlet, gas stations had a high rate of sale. When the clerk did not request ID, there was about a 50/50 chance of selling tobacco to the minor. If the clerk did not request age or ID, the clerk was ten times more likely to sell to a minor. Male minors had a significantly higher rate of sale than females. 15 year old minors had the highest rate of sale, however they inspected the least amount of stores (13 out of 211).

Rate of Sale by Area

Table 7 presents the rate of sale by geographic area. There was variation between the rate of sales for Oahu (6.3%) and the rate for the Neighbor Islands (2.9%). For the Neighbor Islands, the County of Maui had the highest rate of sale (6.9%). Hawaii and Kauai had no sales to minors.

Rates of sales for the City and County of Honolulu ranged from 3.6% for Central Oahu, 6.25% for West/Leeward/North Shore, and 7.1% for Honolulu and the Windward side of Oahu.

TABLE 2. 2004 ANNUAL COMPLIANCE INSPECTION: CHARACTERISTICS OF OUTLETS

CHARACTERISTICS	n	%
Type of Outlet		
Grocery/Food/Restaurant/Liquor	61	28.9
Convenience/Sundry/Newsstand	89	42.2
Gas Station and Gas/Convenience	43	20.4
General Merchandise/Drug/Pharmacy/Novelty	15	7.1
Other	3	1.4
TOTAL	211	100
Location By County		
City and County of Honolulu	143	67.8
<i>Honolulu</i>	85	40.3
<i>Central Oahu</i>	28	13.3
<i>West Oahu, Leeward and North Shore</i>	16	7.6
<i>Windward</i>	14	6.6
Maui County	29	13.7
Hawaii County	28	13.3
<i>East</i>	14	6.6
<i>West</i>	14	6.6
Kauai County	11	5.2
TOTAL	211	100
Number of Cash Registers in Store		
One	127	60.2
Two	42	19.9
Three or More	42	19.9
TOTAL	211	100

Note: Percentages presented in the table were rounded to the nearest tenth. Therefore, the percentages may not add up to 100.0% due to rounding error.

TABLE 3. 2004 ANNUAL COMPLIANCE INSPECTION: CHARACTERISTICS OF CLERKS

CHARACTERISTICS	n	%
Gender of Clerk		
Female	160	75.8
Male	51	24.2
TOTAL	211	100
Age of Clerk		
Under 18 to 30	57	27.0
31 to 55	115	54.5
Over 55	39	18.5
TOTAL	211	100

Note: Percentages presented in the table were rounded to the nearest tenth. Therefore, the percentages may not add up to 100.0% due to rounding error.

TABLE 4. 2004 ANNUAL COMPLIANCE INSPECTION: SIGNAGE, PROMOTIONAL MATERIALS AND LOCATION OF TOBACCO PRODUCTS

VARIABLE	n	%
Warning Sign Posted?		
Yes	169	80.1
No	42	19.9
TOTAL	211	100
(If Yes) Sign with Correct Wording?		
Yes	79	46.8
No	90	53.3
TOTAL	169	100
Promotional Materials Displayed		
Yes	146	69.2
No	65	30.8
TOTAL	211	100
Self-Service of Tobacco Available?		
Yes	0	0.0
No	211	100.0
TOTAL	211	100

Note: Percentages presented in the table were rounded to the nearest tenth. Therefore, the percentages may not add up to 100.0% due to rounding error.

TABLE 5. 2004 ANNUAL COMPLIANCE INSPECTION: RESULTS OF ATTEMPTED PURCHASES

VARIABLE	N	%
Successful Purchase Made		
Yes	11	5.2
No	200	94.8
TOTAL	211	100
Clerk Requested Minor's ID		
Yes	189	89.6
No	22	10.4
TOTAL	211	100
Clerk Asked for Minor's Age		
Yes	19	9.1
No	191	91.0
TOTAL	210	100
Clerk Asked for Minor's ID <u>or</u> Age		
Yes	200	94.8
No	11	5.2
TOTAL	211	100

Note: Percentages presented in the table were rounded to the nearest tenth. Therefore, the percentages may not add up to 100.0% due to rounding error.

TABLE 6. 2004 ANNUAL COMPLIANCE INSPECTION: FACTORS ASSOCIATED WITH PURCHASE OF TOBACCO ^a

FACTORS	Total n	Purchase %	<i>p-value</i>
Type of Outlet			<i>p < 0.01</i>
Grocery/Food/Restaurant/Liquor	61	6.6	
Convenience/Sundry/Newsstand	89	0.0	
Gas and Gas/Convenience	43	14.0	
General Merchandise/Pharmacy/Drug/Novelty	15	0.0	
Other	3	33.3	
Location of Tobacco			<i>N.S.</i>
Self-serve	0	0.0	
Behind the counter	211	5.2	
Minor's ID Requested			<i>p < 0.0001</i>
Yes	189	0.5	
No	22	45.5	
Minor's Age Asked			<i>N.S.</i>
Yes	19	0.0	
No	191	5.8	
Minor's ID Requested <u>or</u> Age Asked			<i>p < 0.0001</i>
Yes	200	0.5	
No	11	90.9	
Warning Sign Posted			<i>N.S.</i>
Yes	169	4.1	
No	42	9.5	
(If Yes) Sign With Correct Wording			<i>N.S.</i>
Yes	79	2.5	
No	90	5.6	
Promotional Materials Posted			<i>N.S.</i>
Yes	146	6.2	
No	65	3.1	
Gender of Clerk			<i>N.S.</i>
Female	160	4.4	
Male	51	7.8	
Age of Clerk			<i>N.S.</i>
Under 18 years to 30 years	57	5.3	
31 to 55 years	115	4.4	
Over 55 years	39	7.7	

^a Figures in this table reflect available information for all outlets

* Fisher's Exact Test (2-Tail) was used, due to uneven cell sizes

TABLE 6. 2004 ANNUAL COMPLIANCE INSPECTION: FACTORS ASSOCIATED WITH PURCHASE OF TOBACCO ^a

FACTORS	Total n	Purchase %	<i>p-value</i>
Gender of Minor			<i>p < 0.0001</i>
Female	169	1.8	
Male	42	19.1	
Age of Minor			<i>p < 0.05</i>
15 years	13	15.4	
16 years	145	2.8	
17 years	53	9.4	
Number of Cash Registers in Store			<i>N.S.</i>
One	127	6.3	
Two	42	4.8	
Three or more	42	2.4	

^a Figures in this table reflect available information for all outlets

* Fisher's Exact Test (2-Tail) was used, due to uneven cell sizes

TABLE 7. 2004 ANNUAL COMPLIANCE INSPECTION: RATE OF SALE BY AREA ^a

GEOGRAPHICAL AREA	Number of Outlets	% Purchase
Statewide	211	5.2
Oahu	143	6.3
Neighbor Islands	68	2.9
By County		
City & County of Honolulu	143	6.3
<i>Honolulu</i>	85	7.1
<i>Central Oahu</i>	28	3.6
<i>West Oahu, Leeward & North Shore</i>	16	6.3
<i>Windward</i>	14	7.1
Maui County	29	6.9
Hawaii County	28	0.0
<i>East</i>	14	0.0
<i>West</i>	14	0.0
Kauai	11	0.0

^a Percentages are based on outlets for which information was available

Part III. Law Enforcement Operations – April 2003 to March 2004

The law enforcement operations (stings) were a major focus of the 2003 to 2004 project year. This activity was conducted in partnership with the local police departments from Honolulu, Maui, Hawaii and Kauai counties over a 1 year period from April 2003 to March 2004. These operations to enforce State law HRS §709-908 inspected an average of 100 stores per month.

Methods

Selection of Stores

The State of Hawaii does not require licensure to sell tobacco products; therefore, there is no complete statewide listing of tobacco product retailers. For the 2003-2004 law enforcement operations, a retail outlet list was obtained from a CRCH database. The database was originally devised from the R.L. Polk Business Directory, a national business and residential directory developed for individual cities and counties. Information in the Directory includes business addresses arranged by Standard Industrial Classification codes and zip codes. An outlet list sent to CRCH by the Food and Drug Administration for the Tobacco Compliance Check Program was also used. Both lists were scrutinized for businesses that did not sell tobacco products, were out of business, or had unsatisfactory conditions that precluded sending a minor into, e.g., bars and clubs. The combination of the two lists was entered into an Access database.

This database has been updated over the course of the project. New businesses selling tobacco have been added while those that have gone out of business or no longer sell tobacco, have been removed. This list does not include all of the tobacco outlets in the State of Hawaii; however, it is the best available source at the present time.

To organize the data, outlets were segregated into numbered zones by island. Each zone contained, on average, 20 outlets.

Sting Procedures

Recruitment of Minors: Youth volunteers 15-17 years old were recruited from various high school community service organizations such as Key Clubs, Peers Education Program (PEP) groups, and Health Academies in public and private high schools as well as from the Honolulu Police Department's Explorer's Clubs. Minors were required to have valid identification such as a driver's license, state identification card, or military identification card.

Training Methods and Materials: During a one-hour session, minors were trained to perform the stings. The sessions included:

1. Review of the Hawaii State law regarding tobacco product sales to minors and requisite signage
2. Description of the roles and responsibilities of the minors
3. Explanation of the attempt
4. Description of the data collection form (see **Appendix A**) and data collection procedures

5. Explanation of the Minor's Statement Form (see **Appendix D**) and completion procedures
6. Explanations of the need to avoid misrepresentation of age, maintain confidentiality, and observe safety procedures.

Sting Process: The procedures for the law enforcement operations were very similar to those for the annual compliance inspections (described earlier in this report). The main differences were in the involvement of police personnel and their procedures to enforce the law. Teams of one to two undercover police officers, one to two youth volunteers, and one staff member conducted the stings. Each team was assigned a zone and given a list of known tobacco product retailers within that zone. A marked \$10 bill was given to each team for the purchase tobacco products.

In general, the following procedures were used to conduct the sting. First, an undercover officer entered the store and ensured the location was safe. The minor then entered the store and attempted to purchase a pack of cigarettes. Upon request, the minor would give his or her true age, and/or present valid identification to the clerk. The officer observed the interaction and any transactions. The minor immediately left the store and returned to the car to complete the data collection form.

If the minor did purchase cigarettes, the change was returned to the clerk while the officers kept the cigarettes as evidence and retrieved the marked bill(s) from the register for re-use. The clerk was issued a citation and court date for the offense. In addition to the data collection form, the minor also completed the Minor's Statement Form in the car if a sale was made and a citation was issued.

Results

Characteristics of Outlets and Clerks

A total of 1136 outlets was visited during the law enforcement operations. Most of the outlets checked were convenience stores, sundry shops or newsstands (38.7%), followed by grocery stores, food vendors, restaurants and liquor stores (27.6%), general merchandise (7.0%), and other (3.8%). Oahu consisted of 52.0% of the visited stores, mainly in the Honolulu district (28.8%), followed by the Central Oahu (11.4%), West Oahu/Leeward/North Shore (6.0%), and Windward (5.8%) areas. On the Neighbor Islands, 23.9% of the outlets visited were on the island of Hawaii, while 14.7% were on Maui, followed by Kauai (9.5%). The number of cash registers in the store was used as an indicator of the size of an outlet. The majority of the stores (58.9%) had only one cash register, while 21.7% had two registers and 19.5% had three or more registers (see **Table 8**). Clerks were predominantly female (76.5%) and the majority of clerks (54.3%) were judged to be in the 31 to 55 years-old age range, followed by 18 to 30 years (33.0%) and 55 and over (12.8%) (see **Table 9**).

Characteristics of Minors

A total of 37 minors participated in the law enforcement operations. Of the stings performed, 23 (62.2%) of the minors were female and 14 (37.8%) were male. The majority of students were of Asian-American and/or Pacific Islander decent and ranged

from 15 to 17 years of age. Females completed 65.8% of the total inspections to 35.2% completed by males. 17 year old minors completed most of the inspections (49.7%), followed by 16 year olds (35.4%) and 15 year olds (14.9%), see **Appendix E**.

Signage, Promotional Materials and Location of Tobacco Products

Table 10 summarizes the findings on the posting of warning signs and promotional materials and the availability of self-service tobacco products. Most of the stores (82.7%) had a warning sign posted; 74.7% of those signs had the proper wording as required by law. Tobacco advertising was evident in 66.2% of the stores and tobacco products were kept behind the counter in 98.7% of the stores.

Results of Attempted Purchases

Minors succeeded in purchasing cigarette in 180 attempts, or 15.9% of all attempts. Clerks requested the minor's identification in 91.2% of attempts and asked the minor's age in 19.9% of attempts. Clerks asked the minor for either age or identification in 93.6% of the attempts, (see **Table 11**).

Factors Associated with Purchase of Tobacco Products

Table 12 presents the results of the analyses for the law enforcement operations (stings). Four factors were found to have statistically significant relationships with successful cigarette purchase: type of outlet, clerk's request for minor's ID, clerk's request for age, and clerk's request for age or ID.

Rates of Sale by Area

Table 13 presents rates of sales by geographic area. The percentage of sales was similar between Oahu (14.8%) and the Neighbor Islands (17.0%). For the Neighbor Islands, the County of Hawaii had the highest rate (18.8%), followed by Maui County (18.0%). Kauai had the lowest rate at 11.1%

There was also variation within each county. Rates of sales for the City and County of Honolulu ranged from 18.6% for Central Oahu, to 9.1% for Windward. For the County of Hawaii, East Hawaii had a rate of 17.0% while West Hawaii had a rate of 22.5%.

TABLE 8. 2004 LAW ENFORCEMENT OPERATIONS: CHARACTERISTICS OF OUTLETS ^a

CHARACTERISTICS	n	%
Type of Outlet		
Grocery/Food/Restaurant/Liquor	314	27.6
Convenience Store/Sundry/Newsstand	440	38.7
Gas Station & Gas/Gas Convenience	260	22.9
General Merchandise/Drug/Pharmacy/Novelty	79	7.0
Other	43	3.8
TOTAL	1136	100
Location by County		
Honolulu	590	52.0
<i>Honolulu</i>	327	28.8
<i>Central Oahu</i>	129	11.4
<i>West Oahu/Leeward/North Shore</i>	68	6.0
<i>Windward</i>	66	5.8
Maui	167	14.7
Hawaii	271	23.9
<i>East</i>	182	16.0
<i>West</i>	89	7.8
Kauai	108	9.5
TOTAL	1136	100
Number of Cash Registers in the Store		
One	663	58.9
Two	244	21.7
Three or more	219	19.5
TOTAL	1126	100

^a Percentages are based on outlets for which information was available

Note: Percentages presented in the table were rounded to the nearest tenth. Therefore, the percentages may not add up to 100.0% due to rounding error.

TABLE 9. 2004 LAW ENFORCEMENT OPERATIONS: CHARACTERISTICS OF CLERKS^a

CHARACTERISTICS	N	%
Gender of Clerk		
Female	864	76.5
Male	265	23.5
TOTAL	1129	100
Age of Clerk		
Under 18 to 30	372	33.0
31 to 55	613	54.3
55 and Over	144	12.8
TOTAL	1129	100

^a Percentages are based on outlets for which information was available

Note: Percentages presented in the table were rounded to the nearest tenth. Therefore, the percentages may not add up to 100.0% due to rounding error.

TABLE 10. 2004 LAW ENFORCEMENT OPERATIONS: SIGNAGE, PROMOTIONAL MATERIALS AND LOCATION OF TOBACCO PRODUCTS^a

VARIABLE	n	%
Warning Sign Posted?		
Yes	934	82.7
No	195	17.3
TOTAL	1129	100
(If Yes) Sign with Correct Wording?		
Yes	698	74.7
No	236	25.3
TOTAL	934	100
Promotional Materials Displayed		
Yes	748	66.2
No	382	33.8
TOTAL	1130	100
Self-Service of Tobacco Available?		
Yes	15	1.3
No	1110	98.7
TOTAL	1125	100

^a Figures in this table reflect available information for all outlets

Note: Percentages presented in the table were rounded to the nearest tenth. Therefore, the percentages may not add up to 100.0% due to rounding error.

TABLE 11. 2004 LAW ENFORCEMENT OPERATIONS: RESULTS OF ATTEMPTED PURCHASES

VARIABLE	N	%
Successful Purchase Made		
Yes	180	15.9
No	956	84.2
TOTAL	1136	100
Clerk Requested Minor's ID		
Yes	1032	91.2
No	100	8.8
TOTAL	1132	100
Clerk Asked for Minor's Age		
Yes	225	19.9
No	907	80.1
TOTAL	1132	100
Clerk Asked for Minor's ID <u>or</u> Age		
Yes	1060	93.6
No	72	6.4
TOTAL	1132	100

Note: Percentages presented in the table were rounded to the nearest tenth. Therefore, the percentages may not add up to 100.0% due to rounding error.

TABLE 12. 2004 LAW ENFORCEMENT OPERATIONS: FACTORS ASSOCIATED WITH PURCHASE OF TOBACCO ^a

FACTORS	Total n	Purchase %	<i>p-value</i>
Type of Outlet			<i>p < 0.01^b</i>
Grocery/Food/Restaurant/Liquor	314	15.0	
Convenience/Sundry/Newsstand	440	12.3	
Gas Station & Gas/Convenience	260	21.9	
General Merchandise/Pharmacy/Drug/Novelty	79	13.9	
Other	43	25.6	
Location of Tobacco			<i>N.S.</i>
Self-serve	15	13.3	
Behind the counter	1110	16.0	
Minor's ID Requested			<i>p < 0.0001^b</i>
Yes	1032	11.1	
No	100	64.0	
Minor's Age Asked			<i>p < 0.0001^b</i>
Yes	225	0.9	
No	907	19.5	
Minor's ID Requested <u>or</u> Age Asked			<i>p < 0.0001^b</i>
Yes	1060	10.9	
No	72	88.9	
Warning Sign Posted			<i>N.S.</i>
Yes	934	14.9	
No	195	19.5	
(If Yes) Sign With Correct Wording			<i>N.S.</i>
Yes	698	14.6	
No	236	15.7	
Promotional Materials Posted			<i>N.S.</i>
Yes	748	16.4	
No	382	14.7	
Clerk's Gender			<i>N.S.</i>
Female	864	16.1	
Male	265	14.7	
Clerk's Age			<i>N.S.</i>
Under 18 to 30 years	372	18.6	
31 to 55 years	613	14.7	
Over 55 years	144	13.9	

^a Figures in this table reflect available information for all outlets

^b Fisher's Exact Test (2-Tail) was used, due to uneven cell sizes

TABLE 12. 2004 LAW ENFORCEMENT OPERATIONS: FACTORS ASSOCIATED WITH PURCHASE OF TOBACCO ^a

FACTORS	Total n	Purchase %	<i>p-value</i>
Minor's Gender			<i>N.S.</i>
Female	748	15.8	
Male	388	16.0	
Minor's Age			<i>N.S.</i>
15 years	169	14.8	
16 years	402	18.7	
17 years	565	14.2	
Number of Cash Registers in Store			<i>N.S.</i>
One	663	17.5	
Two	244	15.2	
Three or more	219	11.9	

^a Figures in this table reflect available information for all outlets

^b Fisher's Exact Test (2-Tail) was used, due to uneven cell sizes

TABLE 13. 2004 LAW ENFORCEMENT OPERATIONS: RATE OF SALE BY AREA ^a

GEOGRAPHICAL AREA	Number of Outlets	% Purchase
Statewide	1136	15.9
Oahu	590	14.8
Neighbor Islands	546	17.0
 By County		
City & County of Honolulu	590	14.8
<i>Honolulu</i>	327	14.7
<i>Central Oahu</i>	129	18.6
<i>West Oahu/Leeward/North Shore</i>	68	13.2
<i>Windward</i>	66	9.1
Maui County	167	18.0
Hawaii County	271	18.8
<i>East</i>	182	17.0
<i>West</i>	89	22.5
Kauai	108	11.1

^a Percentages are based on outlets for which information was available

Part IV. Comparison with Previous Years

Annual Compliance Inspections

Introduction

This section compares the results of the 2004 Annual Compliance Inspections with the data collected during the preceding years (1996 to 2003). The data collection and sampling methods were similar over the last nine years.

Characteristics of Outlets

As seen in **Table 14**, the percentage of outlets categorized by type has remained relatively consistent over the nine-year period that the inspections have been conducted. The City and County of Honolulu contains the majority of the outlets. The clerks in these outlets were mostly female, as seen in the previous years (see **Table 15**). Since the age categories for the clerks were reclassified in 2001, the majority of the clerks were estimated to be middle-aged.

Signage, Promotional Materials and Location of Tobacco Products

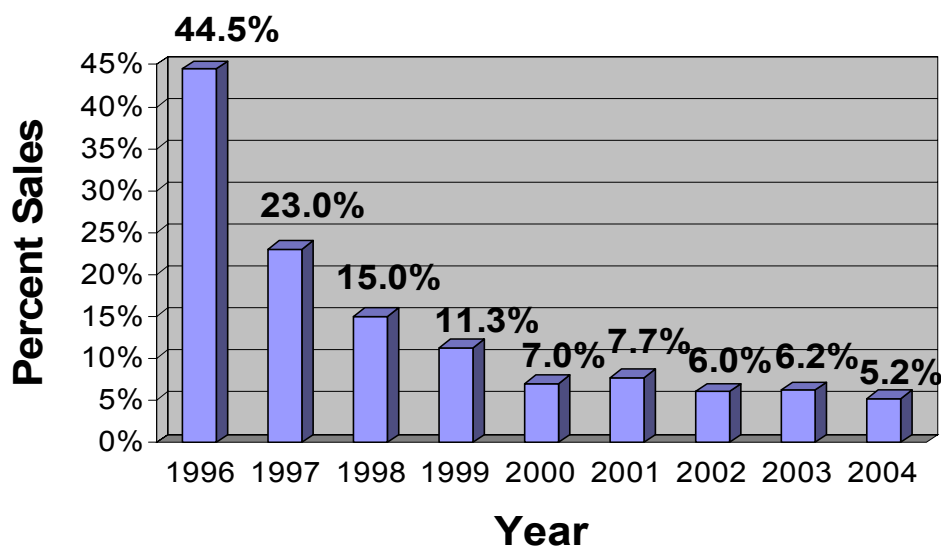
There has been a general increase in the percentage of outlets that have warning signs posted. The percentage of signs with the correct wording as required by law dropped to 46.8% this year. The percentage of outlets with promotional materials has increased through the years. No stores were found to have self-service of tobacco products this year (see **Table 16**).

Results of Attempted Purchases

In 1996, minors were able to purchase tobacco products in 44.5% of stores. The rate declined to 23.0% in 1997. The rate continued to decrease in the following three years, from 15.0% in 1998, to 11.3% in 1999, and 7.0% in 2000. In 2001 there was a slight increase (not significant) to 7.7%. The rate decreased in 2002 to 6.0%. In 2003 there was a slight increase (not significant) to 6.2%. This year minors were able to purchase tobacco products at 11 of 211 stores for an all-time low noncompliance rate of 5.2% ($\pm 3\%$). This rate is not significantly different from the previous four years.

Beginning in February of 2002, the Hawaii Department of Health, in conjunction with the Social and Behavioral Sciences Program of the Cancer Research Center of Hawaii, began publishing the names and addresses of retail outlets that sold and did not sell tobacco products to minors in the newspaper on a monthly basis. This increase in public awareness toward noncompliance and compliance may have contributed to reaching an all-time low noncompliance rate of 5.2% for 2004. **Figure 2** shows the rate of cigarette sales over the past nine years.

**Figure 2. Tobacco Sales for the Last Nine Years:
Annual Inspections**



The percentage of clerks who ask for the minor's identification has remained relatively constant over the years. The percentage of clerks that asked the minor's age dropped to another all-time low of 9.1% for 2004. Clerks that asked for age or ID has remained relatively constant since 2001 (there are no exact comparison data for prior years). **Table 17** shows the proportion of clerks who request identification and those who ask for age.

Rates of Sale by Area

Oahu (City and County of Honolulu) increased to 6.3% for 2004. The county of Hawaii and Kauai had zero sales for 2004. Maui had a noncompliance rate of 6.9% for 2004.

Table 18 presents the percent sale by county.

TABLE 14. ANNUAL COMPLIANCE INSPECTION TRENDS: CHARACTERISTICS OF OUTLETS ^a

CHARACTERISTICS	1996 ^b % (339)	1997 % (344)	1998 % (448)	1999 % (426)	2000 % (300)	2001 % (221)	2002 % (249)	2003 % (209)	2004 % (211)
Type of Outlet									
Food Store ^c	42.2	30.8	26.1	31.5	30.7	26.2	26.5	31.3	28.9
ConvenienceStore/Sundry/Newsstand	20.1	31.4	31.0	41.1	34.3	43.0	45.0	44.7	42.2
Gas Station & Gas/Convenience	21.8	29.1	24.6	20.2	23.0	23.5	18.5	16.8	20.4
GeneralMerchandise/Drug/Pharmacy	N.A. ^d	N.A. ^d	N.A. ^d	6.3	6.3	7.2	7.6	5.3	7.1
Other	15.9	8.7	18.3	0.9	5.7	N.A. ^e	2.4	1.9	1.4
Location by County									
City & County of Honolulu	74.6	66.0	69.6	64.3	64.7	69.2	67.5	68.4	67.8
<i>Honolulu</i>	39.5	43.0	42.4	43.0	39.0	41.2	42.2	43.5	40.3
<i>Central Oahu</i>	8.8	10.8	12.1	10.1	12.7	14.5	11.2	10.1	13.3
<i>WestOahu/Leeward/NorthShore</i>	N.A. ^d	N.A. ^d	N.A. ^d	5.6	6.0	6.3	7.2	8.1	7.6
<i>West Oahu</i>	9.7	1.2	N.A. ^d	N.A. ^d	N.A. ^d	N.A. ^d	N.A. ^d	N.A. ^d	N.A. ^d
<i>Leeward</i>	8.8	2.3	3.6	N.A. ^d	N.A. ^d	N.A. ^d	N.A. ^d	N.A. ^d	N.A. ^d
<i>North Shore</i>	0.9	2.6	3.3	N.A. ^d	N.A. ^d	N.A. ^d	N.A. ^d	N.A. ^d	N.A. ^d
<i>Windward</i>	6.8	6.1	8.3	5.6	7.0	7.2	6.8	6.7	6.6
Maui	8.0	18.9	14.5	13.4	13.7	12.7	14.1	12.9	13.7
Hawaii	11.5	9.6	8.0	12.2	14.7	13.6	12.8	13.4	13.3
Kauai	5.9	5.5	7.8	10.1	7.0	4.5	5.6	5.3	5.2

^a Percentages are based on outlets for which information was available

^b Includes vending machines

^c Food stores include grocery stores, food stores, liquor stores, restaurants, bar and lounges

^d N.A. – Not applicable; categories reclassified in 1999 survey

^e N.A. – Not applicable; categories reclassified in 2001 survey

Note: Percentages presented in the table were rounded to the nearest tenth. Therefore, the percentages may not add up to 100.0% due to rounding error.

TABLE 15. ANNUAL COMPLIANCE INSPECTION TRENDS: CHARACTERISTICS OF CLERKS^a

CHARACTERISTICS	1996 % (307 ^A)	1997 % (344)	1998 % (448)	1999 % (426)	2000 % (300)	2001 % (221)	2002 % (249)	2003 % (209)	2004 % (211)
Gender									
Female	71.3	64.4	73.3	72.5	73.7	77.8	75.9	74.2	75.8
Male	28.7	35.6	26.7	27.5	26.3	22.2	24.1	25.8	24.2
Age									
16 to 18	1.7	1.2	2.5	1.9	3.7	N.A. ^b	N.A. ^b	N.A. ^b	N.A. ^b
19 to 40	65.7	70.3	61.3	56.5	28.0	N.A. ^b	N.A. ^b	N.A. ^b	N.A. ^b
Over 40	32.7	28.5	36.3	41.6	68.3	N.A. ^b	N.A. ^b	N.A. ^b	N.A. ^b
Under 18 to 30	N.A. ^b	N.A. ^b	N.A. ^b	N.A. ^b	N.A. ^b	26.2	30.9	21.1	27.0
31 to 55	N.A. ^b	N.A. ^b	N.A. ^b	N.A. ^b	N.A. ^b	61.1	59.1	62.2	54.5
Over 55	N.A. ^b	N.A. ^b	N.A. ^b	N.A. ^b	N.A. ^b	12.7	10.0	16.8	18.5

^a Percentages are based on outlets for which information was available; includes over-the-counter sales only

^b N.A. – Not applicable; categories reclassified in 2000 survey

Note: Percentages presented in the table were rounded to the nearest tenth. Therefore, the percentages may not add up to 100.0% due to rounding error.

TABLE 16. ANNUAL COMPLIANCE INSPECTION TRENDS: SIGNAGE, PROMOTIONAL MATERIALS AND LOCATION OF TOBACCO PRODUCTS ^a

VARIABLE	1996 ^b % (339)	1997 % (344)	1998 % (448)	1999 % (426)	2000 % (300)	2001 % (221)	2002 % (249)	2003 % (209)	2004 % (211)
Warning Sign Posted?									
Yes	48.4	72.7	59.8	67.1	69.7	81.5	75.5	83.3	80.1
(If Yes) Sign with Correct Wording?									
Yes	N.A. ^c	63.2	61.2	68.4	61.7	78.9	69.1	67.8	46.8
Promotional Materials Posted?									
Yes	N.A. ^c	50.6	66.5	63.8	73.3	73.3	65.1	78.5	69.2
Self-Service of Tobacco Available?									
Yes	27.4	14.1	17.3	11.5	5.1	3.6	2.0	0.5	0.0

^a Percentages are based on outlets for which information was available

^b Includes vending machines

^c N.A. – Not applicable; new variable created in 1997 survey

TABLE 17. ANNUAL COMPLIANCE INSPECTION TRENDS: RESULTS OF ATTEMPTED PURCHASES^a

VARIABLE	1996 ^b % (339)	1997 % (344)	1998 % (448)	1999 % (426)	2000 % (300)	2001 % (221)	2002 % (249)	2003 % (209)	2004 % (211)
Successful Purchase Made?									
Yes	44.5	23.0	15.0	11.3	7.0	7.7	6.0	6.2	5.2
Clerk Requested Minor's ID?									
Yes	45.2 ^c	69.2	79.8	82.9	87.0	84.6	91.2	88.0	89.6
Clerk Asked for Minor's Age?									
Yes	21.6 ^c	14.0	16.4	12.0	10.7	10.9	10.4	14.8	9.1
Clerk Asked for Minor's ID or Age?									
Yes	N.A. ^d	N.A. ^d	N.A. ^d	N.A. ^d	N.A. ^d	90.0	95.2	92.8	94.8

^a Percentages are based on outlets for which information was available

^b Includes vending machines

^c Includes over-the-counter sales only

^d N.A. – Not applicable; new variable created in 2001 survey

TABLE 18. ANNUAL COMPLIANCE INSPECTION TRENDS: RATE OF SALE BY AREA ^a

GEOGRAPHICAL AREA	1996^b % (339)	1997 % (344)	1998 % (448)	1999 % (426)	2000 % (300)	2001 % (221)	2002 % (249)	2003 % (209)	2004 % (211)
Statewide	44.5	23.0	15.0	11.3	7.0	7.7	6.0	6.2	5.2
Oahu	51.0	21.6	12.8	16.1	8.3	5.9	4.2	4.9	6.3
Neighbor Islands	25.9	25.6	19.9	2.6	4.7	11.8	9.9	9.1	2.9
By County									
City and County of Honolulu	51.0	21.6	12.8	16.1	8.3	5.9	4.2	4.9	6.3
<i>Honolulu</i>	52.2	16.9	10.0	14.8	10.3	1.1	2.9	4.4	7.1
<i>Central Oahu</i>	60.0	46.0	9.3	27.9	5.3	18.8	0.0	9.5	3.6
<i>West Oahu/Leeward/ North Shore</i>	N.A. ^c	N.A. ^c	N.A. ^c	12.5	5.6	7.1	16.7	0.0	6.3
<i>West Oahu</i>	39.4	25.0	N.A. ^c	N.A. ^c	N.A. ^c	N.A. ^c	N.A. ^c	N.A. ^c	N.A. ^c
<i>Leeward</i>	76.7	12.5	18.8	N.A. ^c	N.A. ^c	N.A. ^c	N.A. ^c	N.A. ^c	N.A. ^c
<i>North Shore</i>	33.3	22.2	0.0	N.A. ^c	N.A. ^c	N.A. ^c	N.A. ^c	N.A. ^c	N.A. ^c
<i>Windward</i>	17.4	14.3	35.1	8.3	4.8	6.3	5.9	7.1	7.1
Maui	37.0	20.0	13.8	1.8	2.4	14.3	0.0	3.7	6.9
Hawaii	28.9	39.4	44.4	1.9	6.8	10.0	25.0	14.3	0.0
<i>East</i>	N.A. ^d	52.6	59.1	0.0	4.0	15.4	6.3	21.4	0.0
<i>West</i>	N.A. ^d	21.4	21.4	5.3	10.5	5.9	43.8	7.1	0.0
Kauai	5.0	21.1	5.7	4.7	4.8	10.0	0.0	9.1	0.0

^a Percentages are based on outlets for which information was available

^b Includes vending machines

^c N.A. – Not applicable; categories reclassified in 1999 survey

^d N.A. – Not applicable; categories reclassified in 1997 survey

Note: Percentages presented in the table were rounded to the nearest tenth. Therefore, the percentages may not add up to 100.0% due to rounding error.

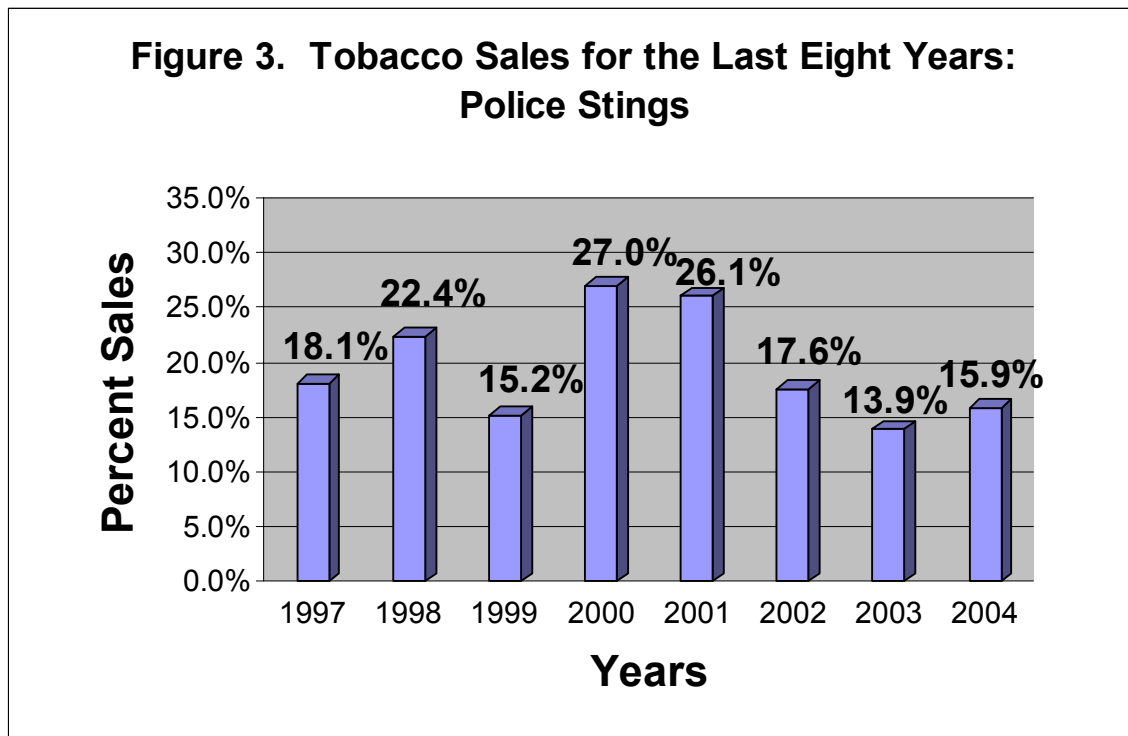
Law Enforcement Operations

Introduction

This is the eighth year of law enforcement operations (stings). In this section, the data collected from this year's stings are compared with data from the previous years. It should be noted that these stings are not conducted on a random sample of outlets. All retail outlets in the State of Hawaii are visited at least once per year.

Results of Attempted Purchases

Figure 3 compares the results of attempted purchases during all eight years of the stings in the State of Hawaii (1997 includes Oahu data only). As shown, the rate changed from 15.2% in 1999 to 27.0% in 2000. This increase between 1999 and 2000 may be due to a change in methodology. From 1997 to 1999, minors were not required to possess identification. Starting in 2000, minors were required to carry and, upon request, present proper identification to clerks.



Beginning in February of 2002, the Hawaii Department of Health, in conjunction with the Social and Behavioral Sciences Program of the Cancer Research Center of Hawaii, began publishing the names and addresses of retail outlets that sold and did not sell tobacco products to minors in the newspaper on a monthly basis. This increase in public awareness toward noncompliance and compliance may have contributed to the decrease of tobacco sales to minors.

A noncompliance rate of 15.9% was found during the time period of April 2003 to March of 2004. The percentage of clerks who request identification has increased through the years, hitting an all-time high of 91.2% in 2004. The percentage of clerks asking for

minor's age has fluctuated. Since 2001, the percentage of clerks asking for ID or age has remained relatively constant (see **Table 19**).

TABLE 19. LAW ENFORCEMENT TRENDS: RESULTS OF ATTEMPTED PURCHASES^a

VARIABLE	1997	1998	1999	2000	2001	2002	2003	2004
	%	%	%	%	%	%	%	%
	(160)	(558)	(441)	(342)	(1129)	(1229)	(1310)	(1136)
Successful Purchase Made								
Yes	18.1	22.4	15.2	27.0	26.1	17.6	13.9	15.9
Clerk Requested Minor's ID?								
Yes	78.1	70.9	78.7	85.2	85.8	89.5	90.5	91.2
Clerk Asked for Minor's Age								
Yes	18.7	14.0	10.7	23.5	18.8	18.3	20.5	19.9
Clerk Asked for Minor's ID <u>or</u> Age								
Yes	N.A. ^b	N.A. ^b	N.A. ^b	N.A. ^b	88.9	92.8	94.7	93.6

^a Percentages are based on outlets for which information was available

^b N.A. – Not applicable; new variable created in 2001 survey

TABLE 20. LAW ENFORCEMENT TRENDS: RATE OF SALE BY AREA ^a

GEOGRAPHICAL AREA	1997 % (160)	1998 % (558)	1999 % (441)	2000^b % (344)	2001^b % (1129)	2002^b % (1229)	2003^b % (1310)	2004^b % (1136)
Statewide	N.A.^a	22.4	15.2	27.0	26.1	17.6	13.9	15.9
Oahu	18.1	23.2	15.6	27.3	24.7	16.7	13.8	14.8
Neighbor Islands	N.A.^a	20.9	14.8	26.3	28.3	19.1	14.2	17.0
By County								
City and County of Honolulu	18.1	23.2	15.6	27.3	24.7	16.7	13.8	14.8
<i>Honolulu</i>	19.0	20.1	N.A. ^a	37.5	22.9	16.6	12.7	14.7
<i>Central Oahu</i>	21.1	32.1	N.A. ^a	17.0	31.8	23.9	15.9	18.6
<i>West Oahu/Leeward/ North Shore</i>	N.A. ^c	N.A. ^c	N.A. ^c	34.3	33.3	8.5	15.1	13.2
<i>West Oahu</i>	N.A. ^a	14.3	N.A. ^c	N.A. ^c	N.A. ^c	N.A. ^c	N.A. ^c	
<i>Leeward</i>	12.0	41.7	N.A. ^c	N.A. ^c	N.A. ^c	N.A. ^c	N.A. ^c	
<i>North Shore</i>	N.A. ^a	30.0	N.A. ^c	N.A. ^c	N.A. ^c	N.A. ^c	N.A. ^c	
<i>Windward</i>	N.A. ^a	36.4	10.8	22.2	19.5	17.8	15.2	9.1
Maui	N.A. ^a	8.7	19.7	28.4	26.5	15.2	11.5	18.0
Hawaii	N.A. ^a	43.1	16.2	21.4	30.6	27.3	20.6	18.8
<i>East</i>	N.A. ^a	54.8	15.4	N.A.	34.0	21.8	11.6	17.0
<i>West</i>	N.A. ^a	25.0	17.0	21.4	26.0	37.1	25.0	22.5
Kauai	N.A. ^a	20.7	7.8	N.A.	27.6	12.7	9.6	11.1

^a Percentages are based on outlets for which information was available

^b Methodology change – Use of identification by minors

^c N.A. – Not applicable; categories reclassified in 1997 survey

Note: Percentages presented in the table were rounded to the nearest tenth. Therefore, the percentages may not add up to 100.0% due to rounding error.

Part V. Conclusions and Recommendations

1. The rate of sales of tobacco to minors for the inspections continues to be very low. The noncompliance rate for the monthly police stings, although still higher than annual inspections, has improved. These results suggest that continued efforts in public awareness, law enforcement, and merchant education are successful.
2. There is still a problem with youth access to tobacco products in Hawaii. Continuing efforts should be made to raise awareness among vendors, parents, the public, and other relevant parties. While these efforts should focus on increasing voluntary compliance first, there is an important need for a systematic effort to enforce existing laws.
3. Strategies and messages should emphasize training clerks to ask minors' ages, request identification, and, more importantly, to calculate the correct age presented on the identification.
4. Further investigation and law enforcement should be used to develop interventions for sites that are persistently non-compliant with the statute.
5. Educational interventions such as letters and official warning signs should be sent to non-compliant vendors statewide. Beginning in February of 2002, the names and addresses of retail outlets that sold and did not sell tobacco products to minors were published in county newspapers on a monthly basis. This increase in public awareness toward noncompliance and compliance may have contributed to the decrease of tobacco sales to minors during the last three years for law enforcement operations. Periodic reinforcement and monitoring should be used to evaluate their impact.
6. Increased collaboration with Neighbor Island Anti-Tobacco Coalitions appears to have been helpful on Maui and Kauai, and may have helped to improve police sting compliance rates in their areas.
7. To further reduce youth access to tobacco in Hawaii, tobacco licensure or registration is needed. This legislation would (1) supply an accurate list of outlets that sell tobacco, and (2) use the threat of licensure revocation for outlets that persistently sell tobacco to minors.
8. There is a discrepancy between the 5.2% noncompliance rate of the inspections conducted without identification, and the 15.9% noncompliance of the stings with identification. However, in 91.2% of the sting attempts the minors were asked for and produced valid identification. This indicates that clerks are not reading identifications when they are presented. Merchant education should be focused on being able to determine the correct age from the identification. Aids such as calendars and lists of underage years should continue to be distributed to merchants who sell cigarettes.

APPENDIX A

Data Collection Form

Reducing Minors' Access to Tobacco Data Collection Form

Fill in the circle of the correct answer. If comments are required, please write it in the boxes provided.
Thank you for your help.

Date:

--	--	--	--	--	--	--	--

Month Day Year

Time of the day (please fill AM or PM):

				<input type="radio"/> AM
--	--	--	--	--------------------------

Hour Minute ☐ PM

Youth Volunteer Number:

--	--	--	--	--	--

1	1	1	1	1	1
2	2	2	2	2	2
3	3	3	3	3	3
4	4	4	4	4	4
5	5	5	5	5	5
6	6	6	6	6	6
7	7	7	7	7	7
8	8	8	8	8	8
9	9	9	9	9	9
0	0	0	0	0	0

Outlet

--

1. Outlet Status

- ☐ Business open and survey completed
- ☐ Business closed during hours of inspection
- ☐ Business does not sell tobacco
- ☐ Out of business
- ☐ Unsatisfactory conditions

2. Was a warning sign posted?

YES NO
☐ ☐

3. Was there a sign with the correct wording?

☐ ☐

4. Were there promotional materials displayed?

☐ ☐

5. Did you purchase tobacco?

☐ ☐

6. Were you asked your age?

☐ ☐

7. Were you asked for your ID?

☐ ☐

8. Were you able to pick up cigarettes without having to talk to the clerk?

☐ ☐

9. Gender of clerk?

Male Female
☐ ☐

10. Age of clerk

- ☐ Youth (less than 18)
- ☐ Young adult (18 to 30)
- ☐ Adult (30 to 55)
- ☐ Senior (55+)

11. Number of cash registers in the store

1 2 3 4 5 6 7 8 9 10 or more
☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐

☐ Name/address change and Comments

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Cancer Research Center of Hawai'i - University of Hawai'i

For Official Use Only:

☐ Sting ☐ Inspection

10/08/2001



APPENDIX B

Youth Consent Form

INFORMED CONSENT FORM FOR VISITING TOBACCO OUTLETS

(for both parent/guardian and minor to sign)

Education Research Services for the Implementation of the Synar Amendment

Karen Glanz, Ph.D., M.P.H., Principal Investigator

The Cancer Research Center of Hawaii (CRCH) of the University of Hawaii is conducting this research study through a contract with the State of Hawaii Department of Health. The project's purpose is to reduce minors' access to tobacco in Hawaii by monitoring compliance with the State law regarding tobacco product sales to minors (HRS §709-908).

DESCRIPTION:

Your son or daughter is invited to be part of this study on the availability of tobacco products to minors in stores. Most adults who regularly smoke or chew tobacco started before they were 18 years old. We hope to learn ways to reduce the availability of tobacco products to minors in Hawaii, in turn decreasing the number of young people who start using these products.

If you decide that your son or daughter may take part in the study, he or she will spend a few hours visiting stores and attempting to purchase tobacco products while under adult supervision. Minors will visit stores in neighborhoods outside their usual area. Some minors will visit stores on the Neighbor Islands of Hawaii, Maui and Kauai. When attempting to purchase tobacco products, minors may not lie. The youth may be called to testify at a court hearing if the citation is contested.

An adult will be present at all times and will do the driving. All drivers must not have received a moving violation in the past three years or have any problem with his or her car, and will require all passengers to wear seat belts.

RISKS AND BENEFITS:

Your son or daughter will be placed at a minimal risk by participating in this study. Every effort will be made to ensure safe driving, including obtaining the driving records of adults. Reasonable goals will be set for the number of stores to be visited in order to discourage hurrying. All visits will be made during the day (before dark). Minors should leave any situation that is uncomfortable.

While participating in the unannounced inspections of tobacco retailers, your son or daughter will be granted immunity from HRS §709-908 (purchase of tobacco products by minors). This immunity is granted only for the period your son or daughter is scheduled for the unannounced inspections with police officers and/or under the direct supervision of CRCH staff.

FREE WITHDRAWAL:

Participation in this study is voluntary. Your son or daughter has the right to stop at any time.

COSTS AND PAYMENTS:

There is no cost to be part of this study and no payment will be made to your son or daughter. All travel expenses will be paid for by CRCH. Minors who participate will have the opportunity to work toward earning various incentives for completing inspections. These will be small items such as free snacks and meals, movie coupons, and gift certificates.

CONFIDENTIALITY:

Any data that may be published in scientific journals will not reveal the names of the stores or the minors or adults who are part of the survey. Your son or daughter agrees to maintain confidentiality regarding the names of minors and adults participating in the project, and regarding the names of stores that are visited. There may be media events to report the results of the study as a whole; your son or daughter will decide whether to participate in any of these events, should they occur. At no time will the name of your son or daughter be released to media without prior permission of parents and minors.

NO COMPENSATION FOR INJURY OR ILLNESS:

Your signature indicates your understanding that in the event of an injury or illness resulting from this research procedure, no monetary compensation will be made, but any immediate emergency medical treatment that may be necessary will be made available to your son or daughter at the usual and customary charge. Your signature indicates that you agree that your son or daughter's services are voluntary and you accept assumption of any risks of injury or harm.

Your signature gives permission for your son or daughter to participate in a project involving the sale of tobacco products to minors. It further releases, discharges, and holds harmless the State of Hawaii, the University of Hawaii, the Cancer Research Center of Hawaii, its agents, officers and employees from any and all liability whatsoever.

*** I give permission for my son or daughter to visit Neighbor Islands.**

Parent's initials

Minor's Name (PRINT)

Signature of Minor

Date

Parent/Guardian Name (PRINT)

Signature of Parent/Guardian

Date

If you have any questions or concerns about the study, you can contact either Dr. David O'Riordan or Amos Jarrette at the Cancer Research Center of Hawaii, University of Hawaii, at 586-3076.

APPENDIX C

2004 Annual Compliance Inspections
Characteristics of Minors by Number of Inspections Completed

2004 ANNUAL COMPLIANCE INSPECTIONS: CHARACTERISTICS OF MINORS BY NUMBER OF INSPECTIONS COMPLETED

CHARACTERISTICS	n (211)	%
Gender of Minor		
Female	169	80.1
Male	42	19.9
Age		
15	13	6.2
16	145	68.7
17	53	25.1

Note: Percentages presented in the table were rounded to the nearest tenth. Therefore, the percentages may not add up to 100.0% due to rounding error.

APPENDIX D

Minor's Statement Form

Kruisin' Against Tobacco Sales – Minor's Statement Form (Honolulu County)

My name is, _____, and I am _____ years old. My date of birth is _____.

On _____, I assisted the Department of Health and the Honolulu
(Date)
 Police Department by participating in a controlled purchase of tobacco under the supervision of a Honolulu Police Department officer to determine the level of incidence of tobacco sales to minors. At about _____ am/pm, I purchased tobacco from _____, located at _____.

(Name of Store)

With intent to purchase tobacco, I did the following:

(Address of Store)

- ☐ Asked the clerk for _____.
- ☐ Removed _____ from the display and handed it to the sales clerk.
- ☐ Removed _____ from the display counter and placed it on the counter.

Cost of tobacco: \$

The clerk stated _____

I stated _____

The clerk (did/did not) ask for my identification. I (did/did not) give the clerk my valid identification. The clerk (did/did not) look at my identification.

I purchased tobacco in view of _____, who had given me the \$ _____ bill.

(Citing Police Officer) (Evidence Bill)

I used to purchase the tobacco. I exited the store and gave the change of \$ _____ to the back-up officer who returned it to the store. When the citing officer returned, I gave him/her the tobacco I purchased from the store mentioned above.

(Amount of change)

The clerk who sold me the tobacco is described as follows:

SEX: MALE/FEMALE

COMPLEXION: FAIR/MEDIUM/DARK

CLOTHING: _____ BODY TYPE: _____

HAIR COLOR: _____ AGE: _____

ETHNICITY: African American/Asian/Caucasian/Hispanic/Pacific Islander/Other (Specify) _____

COMMENTS: _____

I attest that this statement is true and correct to the best of my knowledge, and that I gave this statement freely and voluntarily without coercion or promise of reward.				_____ <i>Signature</i>	
SS#		Today's Date:		Address:	c/o Ames Jaxette Biomedical Sciences Bldg C-Cent 1940 East-West Road Honolulu, HI 96822
Phone: CRCH (808) 441-3486		Date of Birth:			

APPENDIX E

2003-2004 Law Enforcement Operations Characteristics of Minors by Number of Police Stings Completed

**2003-2004 LAW ENFORCEMENT OPERATIONS: CHARACTERISTICS OF MINORS BY
NUMBER OF STINGS COMPLETED**

CHARACTERISTICS	n (1136)	%
Gender		
Female	748	65.8
Male	388	35.2
Age		
15	169	14.9
16	402	35.4
17	565	49.7

Note: Percentages presented in the table were rounded to the nearest tenth. Therefore, the percentages may not add up to 100.0% due to rounding error.

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